

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL DAVIS,

Plaintiff,

-against-

WESTCHESTER COUNTY, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 9/28/2021

No. 20 Civ. 517 (NSR)
ORDER OF DISMISSAL

NELSON S. ROMÁN, United States District Judge:


By Order dated August 12, 2021, the Court granted Defendants' motion to dismiss, dismissing Plaintiff's¹ claims without prejudice and stating that "[i]f an amended pleading is not made by September 6, 2021 and Plaintiff fails to move for an extension to that deadline, the claims dismissed without prejudice herein may be dismissed with prejudice and the action terminated without further notice." (*Id.*) No amended pleading has been filed. On September 24, 2021 Defendants asked the Court to dismiss the claims against them with prejudice and to terminate this action. (ECF No. 37.)

Therefore, the claims previously dismissed without prejudice are dismissed with prejudice.

The Clerk of Court is directed to terminate this case.

Dated: September 28, 2021
White Plains, New York

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

¹ Plaintiff filed his complaint *pro se* (ECF Nos. 1, 2), but retained counsel in July 2020, after the Defendants were served (ECF No. 22). Accordingly, Plaintiff opposed Defendants' motion to dismiss through counsel. (ECF Nos. 30 and 31.)